REMARKS

Upon entry of this Response, claims 1-20 remain pending in the present invention. In this respect, claims 1, 3-6, 8-11, 13, and 14 have been amended, and claims 19 and 20 have been added. Applicant respectfully requests reconsideration of the pending claims in view of the following remarks.

The Office Action rejects claims 1-18 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,901,286 issued to Danknick ("Danknick"). It is noted that in the first line of the above-identified rejection, it states that claims 1-15, and 17 have been so rejected. However, in the later discussion of the same rejection, claims 16 and 18 are rejected. Therefore, it is assumed that all claims have been rejected under §102 since no other discussion of claim 16 and 18 is included in the Office Action.

Anticipation under §102 "requires the disclosure in a single prior art reference of each element of the claim under construction. W.L. Gore & Associates, Inc. v. Garlock, Inc., 220 USPQ 303, 313 (Fed. Cir. 1983). For the reasons that follow, Applicant asserts that claims 1-20 are allowable over Danknick either as originally filed or as amended herein. Accordingly, Applicant respectfully requests that the rejections of claims 1-18 be withdrawn.

To begin, claim 1 as amended provides:

1.   A method for providing network access to a web server in a peripheral device, comprising the steps of:
        identifying a request from a client received by a host via a network to be forwarded to the web server located on the peripheral device locally coupled to the host;
        forwarding the request from the host to the web server located on the peripheral device;
        transmitting a response to the request from the web server located in the peripheral device to the host; and
        transmitting the response from the host to the client.

As described above, the request is forwarded from the host to a web server that is located on the peripheral device and a response to the request generated by the web server is transmitted from the peripheral device back to the host. Thereafter, the host transmits the response to the client that initiated the transaction. In this circumstance, the host relays the request to the web server on the peripheral device and relays the response from the web server to the respective client.

8

Applicant asserts that Danknick fails to show or suggest each of these limitations. In particular, the "NIB" of Danknick includes the web server. Accordingly, the NIB must communicate with the peripheral device using a predefined protocol in order to obtain information about the status of the peripheral device. The web server in the NIB then sends such information back to the client in the form of a web page. The Office Action confirms this with the statement that "as taught by Danknick, a request is sent to the NIB of the peripheral device, which contains the HTTP server of the peripheral device, and a response to the request is returned" (Office Action, page 2).

Accordingly, Applicant asserts that Danknick fails to show or suggest all the limitations of claim 1 as amended herein. In addition, claims 6 and 11 as amended include limitations similar in scope of that of claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 1, 6, and 11 be withdrawn. In addition, Applicant requests that the rejection of claims 2-5, 7-10, and 12-14 be withdrawn as depending from claims 1, 6, and 11, respectively.

In addition, claim 15 as originally filed provides:

15.   A method in a peripheral device to provide access to a web server in the peripheral device from a network through a host, comprising:
directing a request to the web server, the request being received from a client on the network through the host; and
transmitting a response to the host to be directed from the host to the client via the network.

With respect to claim 15, the Office Action states:

"Danknick teaches a method in a peripheral device to provide access to a web server in the peripheral device from a network through a host [interpreted as the NIB that enables communication between the peripheral device and a network], comprising: directing a request to the web server, the request being received from a client on the network through the host (Fig. 1; col. 11, lines 21-44); and transmitting a response to the host to be directed from the host to the client via the network (col. 11, lines 44-55).

Applicant respectfully disagrees. In particular, at col. 11, lines 21-44, Danknick states:

"More particularly, in step S1801, a service technician operating workstation 1 initiates contact with copier 11 by causing workstation 1 to prepare and send an IP-packet to NIB 14 coupled to copier 11.

9

The IP-packet contains a request for servicing information from network copier 11.

In the following description, the service technician runs a web browser on work station 1, and NIB 14, connected to copier 11, includes an HTTP server which is set up to provide HTML files related to maintenance communications. Accordingly, the service technician can initiate contact with copier 11 by merely entering the address of the maintenance and servicing web page of copier 11 into the browser and executing the browser. Similarly, it is expected that data will be returned in HTML file format. However, it is to be understood that the data format used is not limited to HTML."

As described above, the web server is located in the NIB device, not in the peripheral. In this respect, a request is not directed to a web server that was received from a client on the network *through the host* as claimed. Also, the response is not transmitted to the host and thereafter directed to the client on the network by the host as claimed. Rather, the web server within the NIB transmits a response directly to the client. In this situation, the NIB fails to act as a host as is set forth in claim 15.

Consequently, Applicant respectfully requests that the rejection of claim 15 be withdrawn. In addition, claim 17 includes limitations similar in scope with that of claim 15. Accordingly, Applicant respectfully requests that the rejection of claims 15 and 17 be withdrawn. In addition, Applicant requests that the rejection of claims 16 and 18 be withdrawn as depending from claims 15 and 17, respectively.

In addition, claim 3 has been amended to provide:

3. The method of claim 1, wherein the step of forwarding the request from the host to the web server located on the peripheral device further comprises the steps of:
opening a connection from the host to the peripheral device on a channel dedicated to the web server; and
transmitting the request from the host to the web server via the channel.

Applicant asserts that Danknick fails to show or suggest the concept of opening a connection from the host to the peripheral device on a channel dedicated to the web server. This is because there is no need to open a connection from a host to the peripheral device to establish communication with a web server on a respective channel because the web server is not on the peripheral device and communicated as such. Similarly, no request is transmitted from the host to the web server via the channel because, once again, the web server is not in the peripheral

10

device. Accordingly, Danknick fails to show or suggest all the limitations of claim 3. Also, claims 8, and 13 include limitations similar in scope with claim 3 as amended. Accordingly, Applicant asserts that Danknick fails to show or suggest all the limitations of claims 3, 8, and 13. Therefore, Applicant requests that the rejection of claims 3, 8, and 13 be withdrawn.

In addition, claims 4, 5, 9, 10, and 14 have been amended so as to be consistent with amendments to claims from which they depend or to correct for minor typographical errors. Applicant requests that the rejection of claims 4 and 5 be withdrawn as depending from claim 3, that the rejection of claims 9 and 10 be withdrawn as depending from claim 8, and that the rejection of claim 14 be withdrawn as depending from claim 13. Also, Applicant asserts that the rejection of claims 4, 5, 9, 10, and 14 is improper to the extent that such claims include subject matter that reflects the fact that the web server resides in the peripheral device and that the host facilitates communication between the network and the peripheral device as described above.

In addition, claims 19 and 20 have been added herein to claim further embodiments of the present invention. Favorable action with respect to claims 19 and 20 is requested.

CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

Michael J. D'Aurelio
Reg. No. 40,977

D'Aurelio & Mathews, LLC
96 Church Street
Chagrin Falls, Ohio 44022
Phone: (440) 729-7450
Fax: (440) 729-7465

11